

ORDINANCE NO. 2139

AN ORDINANCE OF THE MUNICIPALITY OF MONROEVILLE  
PRESCRIBING RULES AND REGULATIONS FOR THE USE OF PUBLIC  
PARK, RECREATION AND CONSERVATION LANDS AND BUILDINGS,  
PROVIDING PENALTIES AND VIOLATION OF SUCH RULES AND  
REGULATIONS, AND DESIGNATING THE ENFORCEMENT AUTHORITY.

BE IT ORDAINED and enacted by the Municipality of Monroeville, in the  
Council assembled, as follows:

Section 1. Purpose of Ordinance. It is the intent, purpose and scope of this Ordinance to insure the preservation of public park lands, recreation facilities, and conservation areas within the Municipality of Monroeville for the perpetual enjoyment of the residents of the Municipality of Monroeville, to regulate activities within these area consistent with the enjoyment of unspoiled natural settings and park facilities, and to prevent any nuisances to the resident of the Municipality of Monroeville in the use of such public park lands, recreation facilities, and conservation areas or in the enjoyment of private property adjacent to such areas.

Section 2. Preservation of Property, Natural Resources and Wildlife. No person, except those authorized by the Municipality and conducting Municipal Business, shall, in recreation, park or conservation areas:

(a) Injure, deface, disturb, befoul nor in any manner destroy or cause to be destroyed any part of any recreation, park or conservancy site owned by the Municipality, nor any building, sign structure, equipment utility or other property fund therein.

(b) Remove, injure or destroy any tree, flower, shrub, plant or growing thing, or any rock or other mineral.

(c) Kill, trap, hunt, pursue or in any manner deliberately disturb or cause to be disturbed any wild bird or animal within the recreation, park and conservancy sites owned by the Municipality, except as permitted in Section 4 (b).

(d) Throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance, matter or thing, liquid or solid, which may result in the pollution of said waters; nor to dump, deposit or leave any bottles, broken glass, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse, or trash anywhere within the park and conservancy sites owned by the Municipality; but rather to make use of proper receptacles where these are provided, and where receptacles are not so provided, all such materials shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.

Section 3. Operating Policy.

(a) Hours of Operation. Recreation, park and conservation areas shall be open daily to the public from official sunrise to official sunset; and it shall be unlawful for any person, or persons, other than Municipal personnel conducting Municipal business therein, to occupy or be present in said park during any hours in which the park is not open to the public. Permits must be obtained for use after official sunset for specific activities. Any section, or part of the recreation, park and conservation areas may be declared closed to the public at any time and for any interval of time, either temporarily or at regular or stated intervals. During such periods of time, it shall be unlawful to enter upon or occupy such areas or portions thereof contrary to posted regulations.

(b) Group Activity; Possession and Consumption of Alcoholic Beverages. Whenever any Monroeville or other authorized group, association or organization desires to use recreation or park facilities for a particular purpose, such as picnics, parties or theatrical or entertainment performances, a representative of said group, association or organization shall first obtain a permit for such use in specially designated areas from the Director of Recreation, Parks, and Human Services or his/her designee. The Municipal Council may adopt an application form to be used by the Director of Recreation, Parks, and Human Services which may require an indemnity bond or other security to protect the Municipality from any liability of any kind or character and to protect Municipal property from damage. The Director of Recreation, Parks, and Human Services shall grant the permit if it appears that the group, association or organization will not interfere with the general use of the park by the individual members of the public, and if the group, association or organization meets all other conditions contained in the application. It shall be unlawful for any person to have in his or her possession, custody or control any alcoholic beverage, including beer, of any kind whatsoever, except as a member of a Monroeville or other authorized group, association or organization granted a permit for particular activities in specially designated areas as set forth in this section.

(c) Use of Facilities. Facilities and areas in Municipal recreation, park, or conservancy sites shall be used only for the purpose designated or implicit in their character. Special activities including flying model airplanes, games, picnics, the operation of all terrain vehicles, motor scooters, motorcycles, mini-bikes, go-carts, snowmobiles, bicycles and similar vehicles shall be permitted only at locations or trails specifically designated for such use and at times established.

(d) Supervision of Minor Children. Parents shall be responsible for appropriate supervision for their minor children and financially responsible for the behavior and actions of their minor children.

(e) Motor Vehicles. Licensed motor vehicles shall be permitted only on designated roadways. The speed limit for such vehicles on such roadways shall be fifteen (15) miles per hour. All terrain vehicles, motorcycles, mini-bikes, go-carts and snowmobiles shall not be permitted on roadways designated for licensed vehicular traffic

unless licensed for travel on the public roads of the Commonwealth of Pennsylvania. All vehicles shall be parked in areas or places so provided and designed. Parking in places contrary to posted regulations and times is prohibited, and such vehicles may be removed by the Municipality at the owners' expense. All parking is prohibited after regular closing time, except for a sponsored event or for an activity for which a permit was issued. It shall be unlawful to clean wash, repair, or do any work whatsoever on private vehicles within recreation, park and conservation areas except for emergency repairs.

(f) Fees. The Municipal Council shall have the authority to issue a fee schedule for permits, the Director of Recreation, Parks, and Human Services shall set the amount of deposits and prescribe conditions under which deposits are collected or forfeited. Such revenue shall be used for recreation, park and conservation purposes within the general fund.

(g) Permits. Permits are required whenever alcohol is used; amplified sound is used; for organized use of pavilions, playing fields, courts, or courses; for the training and/or exhibition of animals; for use after official sunset for specific activities; or a single assemblage of twenty (20) persons or more.

#### Section 4. Acts Prohibited.

(a) Fires and Fireworks. Fires may not be built or allowed anywhere in recreation, park or conservation areas except in stoves, fireplaces or designated areas provided for that purpose. Permits must be secured for any fireworks at any time, and for fires to be maintained after closing time.

(b.) Animals. It shall be unlawful for owners of domesticated animals to permit same within recreation, park or conservation areas without being restrained by a leash not to exceed six (6) feet in length and accompanied by an adult or minor capable of controlling said animal. If such animal should defecate upon a recreation, park or conservation area, the owner or guardian of said animal shall be responsible for the immediate clean up and proper disposal of feces. Any injuries, expenses and/or damages caused by said animal which are not due to the contributory negligence of another person, shall be the sole responsibility of the animal's owner. Permits may be obtained for the training and/or exhibition of animals in designated areas. It shall be unlawful to bring any dangerous animal into any recreation, park or conservation area.

(c) Gambling. Gambling is prohibited in recreation, park and conservation lands.

(d) Merchandising, Advertising and Signs. No person shall in recreation, park or conservation areas:

- (1) Offer for sale any article or thing, nor station or place any stand, cart or vehicle for the transportation, sale or display of any such article or thing

except under the authority of the Director of Recreation, Parks, and Human Services by application and permit.

(2) Announce, advertise, or call the public attention in any way to any article or service for sale or hire.

(3) Post, paste, fasten, paint, write, draw, carve, tack affix any placard, bill, notice, sign, advertisement, or any inscription whatever upon any structure, tree, stone, fence, thing or enclosure within any recreation, park or conservation area or on any public land or highways or roads adjacent to any recreation, park or conservation area, except that the Department of Recreation, Parks, and Human Services may place informational signs within such areas.

(4) Notwithstanding the restrictions set forth in paragraphs 1, 2, and 3 of this subsection, Municipal Council may place an appropriate plaque honoring any person or other entity who provides, or sponsors, a service or physical improvement benefiting the park and the citizens of Monroeville.

(e) Aircraft. Except for emergency or other special circumstances authorized by Municipal Council, it shall be unlawful to land a private or commercial airplane or helicopter on recreation park and conservation lands

(f) Personal Conduct. It shall be unlawful for any person in any recreation, park or conservation area to:

(1) Disturb the peace or use profane or obscene language.

(2) Endanger the safety of any person by any conduct or act.

(3) Commit any assault, battery, or engage in fighting.

(4) Possess any firearm, rifle, explosive device, bow, arrow, knife, or any other offensive weapon.

(5) Carry, possess, or drink any alcoholic beverage including beer except as otherwise permitted under Section 3(b).

(6) Carry, possess, or use any drugs or controlled substances, excluding legally prescribed medications.

(7) Violate any rule for the use of the park, made or approved by the Department of Recreation, Parks, and Human Services.

(8) Prevent any person from using any park, or any of its facilities, or interfere with such use in compliance with this Ordinance and rules applicable to such use.

(9) Act in any unlawful, disorderly or disruptive manner or against the best interests of the areas or other people.

(10) Use amplified sound, including radios or musical instruments, without a permit.

(11) Bring any glass container to be used for the consumption of any beverage or other product.

(g) Consumption, Alcoholic Beverages. The sale, purchase, attempt to purchase, possession and/or consumption of liquor or malt or brewed beverages shall be prohibited at the Bel Aire Municipal Pool facility. No pool party permit shall be issued that would include the said sale, purchase, attempt to purchase, possession and/or consumption of liquor or malt or brewed beverages.

Section 5. Enforce Authority. The Municipal Manager and agents designated by him/her, primarily the Director of Recreation, Parks, and Human Services, shall administer the provisions of this Ordinance including the establishment and collection of fees, preparation of application forms, issuance and revocation of permits, promulgation of rules and regulations to implement the provisions of this Ordinance and all other decisions relative thereto. When acts or conduct of individuals or groups is determined to be in violation of this Ordinance or rules and regulations promulgated by the authority of this Ordinance; or not to be in the best interests of the recreation, park and conservancy area; or when such acts or conduct endangers other people, private or public property; or when such acts are deemed to be disruptive to the surrounding neighborhood, the Municipal Police, Director of Recreation, Parks, and Human Services or his/her agent assigned to such area or program shall have the authority to cause such acts to be terminated, or to expel the perpetrators of such acts from the area, or to call the Municipal Police to arrest and detain such individual or individuals, or to file a complaint for the violation of this Ordinance with a Justice of the Peace.

Section 6. Penalties. Any person violating any of the provisions of this Ordinance and convicted of same shall be liable to a fine of not less than \$25.00 plus costs nor more than \$300.00. Where such violator has removed, destroyed, damaged, defaced or befouled the recreation, park and conservation area or the contents thereof, the cost of maintenance repair or replacement shall be charged to such person or group in addition to any fine. Further use of recreation and park facilities may be denied to violators of this ordinance in addition to the imposition of fines or costs.

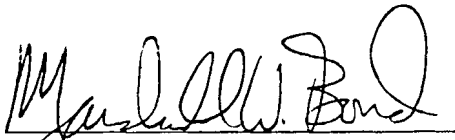
Section 7. Repealer. Any Ordinance or part of an Ordinance in conflict with any of the provisions of this Ordinance is hereby repealed insofar as the same affects this Ordinance.

ORDAINED AND ENACTED this 14<sup>th</sup> day of March, 2000.

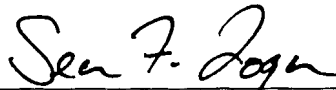
(SEAL)

ATTEST:

MUNICIPALITY OF MONROEVILLE

A handwritten signature in black ink, appearing to read "Marshall W. Bond", written over a horizontal line.

Marshall W. Bond  
Municipal Manager

A handwritten signature in black ink, appearing to read "Sean F. Logan", written over a horizontal line.

Sean F. Logan  
Mayor

ENTERED INTO LEGAL BOOK ON: March 24, 2000